

MINUTES
ECONOMIC DEVELOPMENT AUTHORITY OF APPOMATTOX COUNTY
FEBRUARY 23, 2026
COUNTY ADMINISTRATION CONFERENCE ROOM, 153A MORTON LANE,
APPOMATTOX, VIRGINIA
5:00 P.M.

On Monday, February 23, 2026, the Economic Development Authority of Appomattox County held a Regular meeting at 5:00 P.M. in the Conference Room at the County Administration Office, 153A Morton Lane, Appomattox, Virginia.

PRESENT: Garet Bosiger, Chairman
 Todd Nash
 Don Jones
 Jeffrey Smith
 Patrick Richardson

ABSENT: Gary Tanner*
 Vacant

ALSO PRESENT: Susan Adams - County Administrator
 Johnnie Roark – Director of Community Development

*Mr. Tanner was available via telephone during the Closed Session portion of the meeting only. Mr. Tanner stated that he was currently out of the country and was located in the Bahamas.

Call to Order

Mr. Bosiger called the meeting to order at 5:00 p.m.

Authority Organizes

Mr. Smith motioned, with a second from Mr. Richardson, to nominate the same officers as the previous year, that being Mr. Bosiger for Chairman, Mr. Tanner for Vice-Chairman, Mr. Jones for Secretary-Treasurer and Mr. Roark as Clerk to the EDA. The motion also includes setting the calendar and meeting date/time/location as the fourth Monday of each month at 5:00 p.m. in the County Administration Conference Room, 153A Morton Lane, Appomattox, Virginia.

The motion carried unanimously.

Approval of Minutes

Mr. Jones motioned, with a second by Mr. Nash, to approve the December 22, 2025 minutes.

The motion carried unanimously.

Payment of Bills

Mr. Bosiger updated the Directors on their financial standing. Mr. Richardson motioned, with a second by Mr. Nash to ratify payment for the following bills:

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| 1. Dickerson Surveying Inc. | \$11,500.00 |
| 2. Farmville News Media LLC (Farmville Herald) | \$ 221.64 |

The motion carried unanimously.

Discussion-EDA Minutes to be Posted on Website

Mr. Bosiger stated that recently there has been a request to post the minutes of the EDA meetings online. Mr. Bosiger noted that the minutes are publicly available in the EDA clerk's office at the County Administration office. The Directors discussed the merits of posting the minutes online.

On a motion by Mr. Richardson, with a second by Mr. Smith, the EDA authorizes the EDA clerk to make the approved minutes available online going forward, in addition to the official copy in the County Administration office, starting with this calendar year (2026).

The motion carried unanimously.

Consultation with Board of Supervisors

Mr. Bosiger provided a brief update to the Directors regarding the potential of having a briefing consultation with the Board of Supervisors related to the data center project. After some discussion, it was the consensus of the Directors to have Mr. Bosiger and Mr. Richardson attend the March 10, 2026 meeting with the Board of Supervisors.

FOIA/COIA Training

Mr. Roark briefed the Directors on the need to perform their Freedom of Information Act (FOIA) and Conflict of Interest Act (COIA) training. Mr. Roark stated that the online training link would be sent to them in the morning and they would need to complete the training as soon as possible and let him know that it has been completed.

Urgent Care Facility Update

Mr. Bosiger provided an update to the Directors on the urgent care facility. Mr. Bosiger stated that recent communication with Tom Morales of Centra Health indicated that Centra continues to have interest in locating an urgent care facility here. However, they are awaiting news on the federal Rural Health grant application. This grant would determine what amount of support Centra would need in order to put a location in Appomattox.

Discussion-Data Center Project

Mr. Bosiger provided an update for the Directors. Mr. Bosiger provided a brief update on the history of the EDA. He discussed some of the major successes of the past and some of the near misses. Mr. Bosiger recounted the process through which the Directors arrived at this point with the AVAIO project. The Directors discussed scheduling the Public Information Meeting for the project. It was decided

to hold the information meeting at the next regular meeting of the EDA in March, pending confirmation that the AVAIO representatives can make arrangements to be here. The Directors agreed by consensus to move the location of the March meeting to the Board of Supervisors meeting room, 333 Court Street, Appomattox, Virginia, in order to accommodate the larger anticipated crowd for the Public Information Meeting. The Directors instructed the clerk to advertise the meeting and location change.

Mr. Bosiger presented several lists of questions that he has received from multiple citizens regarding the data center project. The Directors agreed by consensus to have the clerk send these questions to the AVAIO representatives and ask that they address them during the Public Information Meeting.

Motion to Enter into Closed Session

Mr. Smith motions, with a second by Mr. Jones, that the Economic Development Authority of Appomattox County convene in Closed Session pursuant to Section 2.2-3711 A.6, A.7, and A.8 of the Code of Virginia, as amended, and Section 2.2-3705.6(3). Specifically, (A.6) for discussion and consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the governmental unit would be adversely affected; (A.7) for Consultation with legal counsel and briefings by staff member or consultants pertaining to actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; (A.8) for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provisions of legal advice by counsel; and Section 3705.6 (3) for proprietary information, voluntarily provided by private business pursuant to a promise of confidentiality from a public body, used by the public body for business, trade, and tourism development or retention, where competition or bargaining is involved and where disclosure of such information would adversely affect the financial interest of the public body.

The motion carried unanimously.

Motion to return to Open Session and Adopt the following resolution:

Mr. Smith motions, with a second by Mr. Richardson, to adopt the following certification resolution:

WHEREAS, the Economic Development Authority of Appomattox County has convened a Closed Session this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

AND WHEREAS, Section 2.2-3711 A.6, A.7, A.8 and Section 3705.6 (3) of the Code of Virginia, as amended, requires a certification by the Economic Development Authority of Appomattox County that such Closed Session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Economic Development Authority of Appomattox County hereby certifies that, to the best of each member's

knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the Closed Session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Economic Development Authority of Appomattox County.

Roll Call Vote: Smith-Aye; Jones-Aye; Richardson-Aye; Nash-Aye; Bosiger-Aye

Following the Closed Session, Mr. Bosiger asked if there was any action to be taken by the EDA?

On a motion by Mr. Richardson, seconded by Mr. Nash, the Directors authorize the clerk to prepare a letter, and for the Chairman to sign a letter, then have the clerk send the letter terminating the service of legal counsel Mr. Mark Popovich of the law firm Guynn Waddell, P.C. Also, the motion states that the Directors, under Code of Virginia Section 2.2-4344 (2) related to procurement of legal services, retain for purposes of legal counsel attorney Mr. M. Kevin Bailey, at the retainer rate of \$1000.00 per month and \$300.00 per hour of additional time. The Chairman is authorized to enter into a Legal Services Agreement with Mr. Bailey on behalf of the EDA Directors.

The motion carried unanimously.

On a motion by Mr. Jones, with a second by Mr. Smith, the Directors instruct the clerk to send the updated Non-Disclosure Agreement with AVAIO and other draft legal documents to legal counsel for review. Pending review and approval by legal counsel, all Directors and support staff are authorized to sign said Non-Disclosure Agreement.

The motion carried unanimously.

Adjournment

At 6:20 p.m., there being no further business, the meeting adjourned.



Garet Bosiger-Chairman